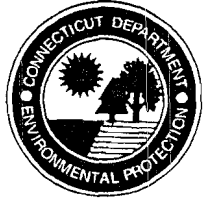


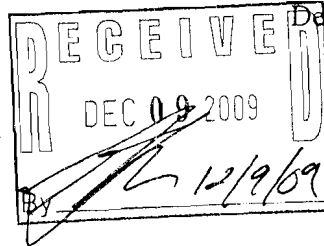


STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



NOTICE OF SUFFICIENCY

Mr. Colin Pease  
Vice-President,  
Housatonic Railroad Company Inc.  
P.O. Box 687  
8 Davis Road West, Old Lyme, CT 06371



December 7, 2009

Re: Housatonic Railroad Company Inc. Application No. 200901096 to conduct solid waste transfer by rail proposed for 30 Hawleyville Road, Newtown, CT.

Dear Mr. Pease:

The Department of Environmental Protection, Waste Engineering and Enforcement Division of the Bureau of Materials Management and Compliance Assurance ("the Department") acknowledges the timely receipt of additional documents submitted by HRP Associates, Inc. on behalf of Housatonic Railroad Company, Inc. The submission responds to the Department's Notice of Insufficiency dated October 8, 2009.

Following a review of all documents submitted to date and in accordance with Section 22a-3a-2(e) of the Regulations of Connecticut State Agencies ("RCSA"), the Department hereby gives notice that the application is sufficient. Upon completion of the technical review phase, the Department will issue a Notice of Tentative Determination to either approve or deny the issuance of the solid waste facility permit.

Pursuant to Section 22a-3a-2(e) of RCSA, nothing in this notice shall be deemed to preclude the Department from requesting additional information concerning your application. It is not uncommon for questions to arise during technical review, which require additional information to resolve. The Department will make every effort to work with you and your engineer to resolve any such issues. Your prompt response to any requests for additional information will expedite the processing of your application.

If you have any questions about this notice please contact Calin Tanovici of my staff at (860)-424-3315.

Sincerely,

Gabrielle Frigon  
Supervising Environmental Analyst  
Waste Engineering and Enforcement Division  
Bureau of Materials Management and Compliance Assurance

GF:ct

cc: Ms. Kimberly P. Massicotte, Assistant Attorney General, AG Office, 55 Elm Street, Hartford, CT  
Mr. Joseph E. Borst, First Selectman, Edmond Town hall, 45 main St., Newtown, CT  
Mr. George Benson, Director of Planning & Land Use, 31 Pecks Lane, Newtown, CT 06470